IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO.216 OF 2004
IN
SUIT NO.2221 OF 2003

M/s.Reliable Marketing Plaintiff

versus

M/s.McDowell & Co. Ltd. Defendant

None for plaintiff.

Dilip Rai i/by Bharat Shah & Co; adv. for defendant.

CORAM : S.C.DHARMADHIKARI, JJ.

DATE : 18th February 2005

PC :

1. None appears for the plaintiff. None appeared when this matter was on board before Justice Vazifdar on 24th January 2005. None appeared when this matter was placed before me yesterday.

2. Mr.Rai appears for the defendant and invites my attention to the fact that no rejoinder is filed by the plaintiff to the affidavit in reply. The plaint proceeds on the basis that there was an distributorship arrangement. It appears that

the matter is of accounts between plaintiff, a distributor M/s.Balaji Traders and the defendant. Summary suit thus is not maintainable. Unconditional leave is granted to the defendant. Suit transferred to list of commercial cases. Written statement to be filed within eight weeks.

(S.C.DHARMADHIKARI, J.)